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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------------|------------------|
| 09/480,844 | 01/10/2000 | NIGEL P. STREET | 11283/3 | 4834 |
| 7590 | 10/07/2004 | | EXAMINER TO, BAOQUOC N | |
| KENYON & KENYON 333 WEST SAN CARLOS STREET SUITE 600 SAN JOSE, CA 95110-2711 | | | ART UNIT 2162 | PAPER NUMBER |

DATE MAILED: 10/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 09/480,844 | Applicant(s) STREET ET AL. | |
| | Examiner Baoquoc N To | Art Unit 2172 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06/18/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 35 is/are pending in the application.
- 4a) Of the above claim(s) 15-34 ~~is/are withdrawn from consideration~~ *cancelled*.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-14 and 35 are pending in this application and claim 25-34 are canceled in the amendment filed on 06/18/2004.
2. After carefully review and updated the search, the Office withdraws the reason for allowance on claims 1-14 and 35 on 01/06/2004. The Office regrets any inconveniences due to the applicants.

Claim Objections

3. Claims 1 and 35 are objected to because of the following informalities: recited claims limitation is not cleared according to the fig. 2a. and 2b. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-14 and 35 are rejected under 35 U.S.C. 102(e) as being anticipated by Wu et al. (US. Patent No. 6,263,344 B1).

Regarding on claims 1 and 35, Wu teaches method for retrieving and presenting data from a target system, comprising:

receiving target system information from the target system (loading appropriate elements) (col. 8, lines 27-28);

retrieving a set of object description files corresponding to the target system information (retrieval identified files) (col. 8, lines 29-32);

sending to a client a set of objects supported based on the set of object description files retrieved (display the selection to the user) (col. 10, lines 50-67);

receiving a selected object from the client (user selection) (col. 11, lines 7-15);

selecting one of the set of object description files corresponding to the selected object (user selection) (col. 11, lines 7-15);

retrieving one of a set of data retrieval programs corresponding to the target system information (user selection) (col. 11, lines 7-15);

retrieving object data about the selected object using the retrieved one of the set of data retrieval programs (user selection) (col. 11, lines 7-15);

decoding the object data about the user selected object using the selected one of the set of object description files corresponding to the selected object to form decoded object data (decoding codes) (col. 2, lines 3-6); and

sending the decoded object data and a presentation format to the client allowing the client to be data driven (the process returns) (col. 9, lines 7-11).

Regarding on claim 2, Wu teaches the target system information includes a processor type of the target system and an operating system type of the target system (col. 3, lines 35-44).

Regarding on claim 3, Wu teaches the set of object description files is a set of XML object description files (html) (col. 9, lines 41-47) and the set of data retrieval programs is a set of Gopher programs (retrieval program) (col. 9, lines 40-47).

Regarding on claim 4, Wu teaches the retrieving the set of object description files corresponding to the target system information includes retrieving the set of XML object description files corresponding to the operating system type of the target system. The method of claim 4 wherein retrieving the set of object description files corresponding to the target system information includes retrieving a set of user-defined XML object description files corresponding to the operating system type of the target system (col. 9, lines 40-47).

Regarding on claim 5, Wu teaches the selected object is received from the client using an application programming interface (API) (col. 5, lines 60-67).

Regarding on claim 6, Wu teaches retrieving one of the set of data retrieval programs corresponding to the target system information includes retrieving one of the set of Gopher programs corresponding to the processor type of the target system (col. 3, lines 34-44).

Regarding on claim 7, Wu retrieving the object data about the selected object includes passing the retrieved one of the set of Gopher programs through a target interface to retrieve the object data for the selected object from the target system (col. 8, lines 40-47).

Regarding on claim 8, Wu teaches the client is an object browser (col. 8, lines 55-67).

Regarding on claim 9, Wu teaches the set of XML object description files is stored in an XML object database (col. 9, lines 41-47) and the set of Gopher programs is stored in the XML object database (retrieval program) (col. 9, lines 40-47).

Regarding on claim 10, Wu teaches the set of object description files is a set of XML object description files and the set of data retrieval programs is a set of data extraction routines (software) (col. 8, lines 40-47).

Regarding on claim 11, Wu teaches accessing the object database to retrieve one of a set of data retrieval programs corresponding to the target system information includes accessing the object description module to retrieve one of the set of data extraction routines corresponding to the processor type of the target system (col. 8, lines 40-47).

Regarding on claim 12, Wu teaches retrieving the object data about the selected object includes passing the retrieved one of the set of data extraction routines through a target interface to retrieve the object data for the selected object from the target system (API) (col. 5, lines 60-67).

Regarding on claim 13, Wu the set of XML object description files is stored in an object description module and the set of data retrieval programs is stored in the object description module (col. 8, lines 40-47).

Regarding on claim 14, Wu teaches the set of XML object description files is stored in an object description module and the set of data retrieval programs is stored in the object description module (col. 9, lines 41-47).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is (703) 305-1949 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at (703) 305-9790.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231.


The fax numbers for the organization where this application or proceeding is assigned are as follow:

(703) 872-9306 [Official Communication]

Hand-delivered responses should be brought to:

Crystal Park II
2121 Crystal Drive
Arlington, VA 22202
Fourth Floor (Receptionist).

Baoquoc N. To
Oct 2nd, 2004


SHAHID ALAM
PRIMARY EXAMINER